

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

KENNETH REICHART,	:	
Plaintiff	:	CIVIL ACTION NO. 3:16-0131
v.	:	(MANNION, D.J.)
LUZERNE COUNTY FACILITY'S,	:	(MEHALCHICK, M.J.)
MEDICAL DEPT., et al.,	:	
Defendants	:	

ORDER

In consideration of the unopposed report and recommendation of Judge Mehalchick, **IT IS HEREBY ORDERED THAT:**

- (1) the report and recommendation of Judge Mehalchick issued in the above-captioned matter, (**Doc. [17](#)**), is **ADOPTED IN ITS ENTIRETY**;
- (2) the plaintiff's complaint, (**Doc. [1](#)**), is **DISMISSED WITHOUT PREJUDICE** pursuant to [28 U.S.C. §1915A\(b\)\(1\)](#), §1915(e)(2)(B)(ii) and 42 U.S.C. §1997e(c)(1), see [Roy v. Supreme Court of U.S., 484 F.App'x 700 \(3d Cir. 2012\)](#) (dismissal is justified if the complaint is incomprehensible and fails to comply with Rule 8);
- (3) the plaintiff is granted 21 days leave from the date of this Order to file an amended complaint as specified by Judge Mehalchick in her report;
- (4) failure of the plaintiff to file his amended complaint as directed will result in the dismissal of this case; and

(5) this case is **RECOMMITTED** Judge Mehalchick for further proceedings.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: September 28, 2016

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